

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY FERRER,

Plaintiff,

- against -

F. TRACY, SUPERINTENDENT, et al.,

Defendants.
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Brieant, J.

The Report and Recommendation of the Hon. George A. Yanthis, United States Magistrate Judge, dated March 24, 2005 is adopted as the Decision of the Court. No papers received in opposition.

Defendants' motion for Summary Judgment is granted.

The Clerk shall file a final Judgement.

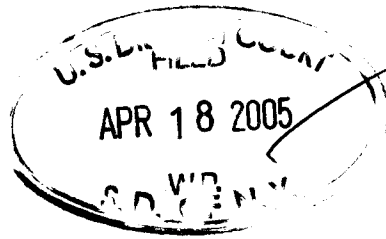
SO ORDERED.

Dated: White Plains, New York
April 18, 2005



Charles L. Brieant, U.S.D.J.

Copies mailed / ~~handed~~ / ~~faxed~~ to counsel 04/18/05



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